

SENATE BILL

No. 15

Introduced by Senator Cedillo

(Coauthors: Senators DeSaulnier, Florez, and Wiggins)

(Coauthors: Assembly Members Buchanan, Chesbro, Coto, Eng, Galgiani, Hernandez, Krekorian, Monning, Nestande, Niello, Portantino, Price, Ruskin, Salas, and Silva)

December 1, 2008

An act to add Article 4.5 (commencing with Section 69436.70) to Chapter 1.7 of Part 42 of Division 5 of Title 3 of the Education Code, relating to student financial aid.

LEGISLATIVE COUNSEL'S DIGEST

SB 15, as amended, Cedillo. Student financial aid: members and former members of the Armed Forces *of the United States*.

Existing law, known as the Ortiz-Pacheco-Poochigian-Vasconcellos Cal Grant Program, establishes, among other programs, *the Cal Grant A Entitlement Program, the Cal Grant B Entitlement Program*, the California Community College Transfer Cal Grant Entitlement Program and the Competitive Cal Grant A and B award program, under the administration of the Student Aid Commission, and establishes eligibility requirements for awards under these programs. ~~Existing law requires that a participant in the California Community College Transfer Cal Grant Entitlement Program, among other things, graduate from a California high school or its equivalent during or after the 2000-01 academic year.~~

This bill would, commencing with the 2010-11 academic year, entitle an otherwise eligible student who is a member or former member of the ~~United States~~ Armed Forces, ~~and who enrolls~~ *of the United States*,

as defined, who meets prescribed requirements, including enrollment at a campus of the California Community Colleges, in a career technical education program, or in a qualifying undergraduate certificate or degree program, to a Cal Grant A or B award Cal Grant A Entitlement Award or a Cal Grant B Entitlement Award. The bill also would require the Student Aid Commission to make preliminary awards to all applicants currently eligible for an award under the program, and would require each person who receives a preliminary award to affirm, in writing, that he or she meets specified requirements for eligibility in the program.

The bill would require the commission to randomly select at least 10% of the new and renewal awards made under the program and verify that the student meets specified requirements for eligibility. The bill would require the commission to seek repayment of any funds found to be improperly disbursed under the program, and would require the commission to submit an annual report to the Legislature and the Governor regarding, among other things, the number of awards made under this program.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. The Legislature finds and declares all of the
- 2 following:
- 3 (a) The original G.I. Bill helped ward off post-World War II
- 4 economic depression by redirecting veterans from job hunting to
- 5 programs that provided job education and training.
- 6 (b) Over 30,000 United States troops have been wounded in
- 7 Iraq and Afghanistan since 2003, and many of these veterans will
- 8 need significant assistance with reintegration into civilian life.
- 9 California must prepare for the increasing number of members of
- 10 the United States Armed Forces that will be returning from these
- 11 conflicts.
- 12 (c) Increased access to financial aid to help returning members
- 13 of the United States Armed Forces afford the cost of tuition and
- 14 fees of California's universities and colleges will increase the
- 15 state's collective productivity and economic growth.
- 16 (d) California high school graduates who were eligible for the
- 17 Cal Grant Entitlement program may have lost their eligibility if

1 they chose to serve their country before pursuing a postsecondary
2 education.

3 (e) Recent studies have identified the need for a more educated
4 workforce in order to meet the demands of California's growing
5 economy.

6 SEC. 2. Article 4.5 (commencing with Section 69436.70) is
7 added to Chapter 1.7 of Part 42 of Division 5 of Title 3 of the
8 Education Code, to read:

9
10 Article 4.5. Cal Grants for Members and Former Members of
11 the Armed Forces
12

13 69436.70. (a) Commencing with the 2010–11 academic year,
14 and each academic year thereafter, a student who is a member or
15 former member of the ~~United States Armed Forces~~ *Armed Forces*
16 *of the United States*, shall be entitled to a ~~Cal Grant A or B award~~
17 *a Cal Grant A Entitlement Award or a Cal Grant B Entitlement*
18 *Award* if he or she ~~enrolls at a campus of the California Community~~
19 *Colleges, in a career technical education program, or in a qualifying*
20 ~~undergraduate certificate or degree~~ *meets all of the following*
21 *requirements:*

22 (1) *Enlisted in the United States Armed Forces within one year*
23 *of high school graduation.*

24 (2) *Was discharged from the Armed Forces of the United States*
25 *under any designation, except a discharge under less than*
26 *honorable conditions.*

27 (3) *Within two years of being discharged from the Armed Forces*
28 *of the United States, enrolls in one of the following:*

29 (A) *A campus of the California Community Colleges.*

30 (B) *A career technical education program, as described in*
31 *Section 69439.*

32 (C) *A qualifying undergraduate certificate or degree.* program
33 pursuant to paragraph (5) of subdivision (b) of Section 69434, with
34 respect to Cal Grant A, or paragraph (5) of subdivision (a) of
35 Section 69435.3, with respect to ~~Cal Grant B, within two years of~~
36 ~~leaving active duty, and meets all of the criteria in Cal Grant B.~~

37 (4) *Meets all of the criteria in subdivision (b).*

38 (b) A California resident enrolling at a qualifying institution
39 ~~that offers a baccalaureate degree~~ is entitled to receive, and the
40 commission shall award, a Cal Grant A or B award depending on

1 the eligibility determined pursuant to subdivision (c), if all of the
2 following criteria are met:

3 (1) A complete official financial aid application has been
4 submitted or postmarked pursuant to Section 69432.9, no later
5 than March 2 of the year immediately preceding the award year.

6 (2) The student demonstrates financial need pursuant to Section
7 69433.

8 (3) The student's household has an income and asset level not
9 exceeding the limits set forth in Section 69432.7.

10 (4) The student is enrolled at a campus of the California
11 Community Colleges or is pursuing a ~~baccalaureate~~ *career*
12 *technical education program* or a degree that is offered by a
13 qualifying institution.

14 (5) The student is enrolled at least part time.

15 (6) The student meets the general Cal Grant eligibility
16 requirements set forth in Article 1 (commencing with Section
17 69430).

18 (7) The student will not be 28 years of age or older by December
19 31 of the award year.

20 (8) The student graduated from a California high school or its
21 equivalent during or after the 2000–01 academic year.

22 (c) The amount and type of the award pursuant to this article
23 shall be determined as follows:

24 (1) For applicants with income and assets at or under the Cal
25 Grant A limits, the award amount shall be the amount established
26 pursuant to Article 2 (commencing with Section 69434).

27 (2) For applicants with income and assets at or under the Cal
28 Grant B limits, the award amount shall be the amount established
29 pursuant to Article 3 (commencing with Section 69435).

30 (d) (1) Commencing with the 2010–11 academic year, a student
31 meeting the requirements of paragraph (8) of subdivision (b) by
32 means of high school graduation, rather than its equivalent, shall
33 be required to have graduated from a California high school, unless
34 that California resident graduated from a high school outside of
35 California due solely to orders received from a branch of the United
36 States Armed Forces by that student or by that student's parent or
37 guardian that required that student to be outside of California at
38 the time of high school graduation.

39 (2) (A) Commencing with the 2010–11 academic year, the
40 commission shall make preliminary awards to all applicants

1 currently eligible for an award under this article. At the time an
2 applicant receives a preliminary award, the commission shall
3 require that applicant to affirm, in writing, that he or she meets the
4 requirements set forth in subdivision (e) of Section 69433.9,
5 paragraph (8) of subdivision (b) of this section, and paragraph (1)
6 of this subdivision. The commission shall notify each person who
7 receives a preliminary award under this paragraph that his or her
8 award is subject to an audit pursuant to subparagraph (B).

9 (B) The commission shall select, at random, a minimum of 10
10 percent of the new and renewal awards made under subparagraph
11 (A), and shall require, prior to the disbursement of Cal Grant funds
12 to the affected postsecondary institution, that the institution verify
13 that the recipient meets the requirements of subdivision (e) of
14 Section 69433.9, paragraph (8) of subdivision (b) of this section,
15 and paragraph (1) of this subdivision. An award that is audited
16 under this paragraph and found to be valid shall not be subject to
17 a subsequent audit.

18 (C) Pursuant to Section 69517.5, the commission shall seek
19 repayment of all funds found to be improperly disbursed under
20 this article.

21 (D) By November 1 of each year, the commission shall submit
22 a report to the Legislature and the Governor including, but not
23 necessarily limited to, both of the following:

24 (i) The number of awards made under this article in the
25 preceding 12 months.

26 (ii) The number of new and renewal awards selected, in the
27 preceding 12 months, for verification under subparagraph (B), and
28 the results of that verification with respect to students at the
29 University of California, at the California State University, *at the*
30 *California Community Colleges*, at independent nonprofit
31 institutions, and at independent for-profit institutions.

32 (e) *For purposes of this section, "Armed Forces of the Untied*
33 *States" means the Air Force, Army, Coast Guard, Marine Corps,*
34 *and Navy.*